

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANTONIO CLARK**  
*Plaintiff*

v.

**CITY OF PHILADELPHIA, et al.**  
*Defendants*

: **CIVIL ACTION**  
:  
: **NO. 13-2204**  
:  
:  
:  
:

**ORDER**

AND NOW, this 25<sup>th</sup> day of September 2014, upon consideration of Defendant City of Philadelphia's *motion for summary judgment* pursuant to Federal Rule of Civil Procedure 56(c), [ECF 22], no response in opposition thereto, the amended complaint, [ECF 8], and consistent with the memorandum opinion filed on this day, it is hereby **ORDERED** that the motion is **GRANTED**. Plaintiff's remaining claim against Defendant City of Philadelphia is **DISMISSED** with prejudice and said Defendant is dismissed as a party from this action. Further, Plaintiff's claims for malicious prosecution in Count VI of his amended complaint against Defendant Police Officers Michael Vargas and Dominic Mathis are **DISMISSED**, without prejudice. The Clerk is directed to close this matter.

**BY THE COURT:**

  
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NITZA I. QUINONES ALEJANDRO, J.